HON'BLE SRI JUSTICE D.S.R. VARMA

WRIT PETITION NO. 10275 OF 1995

Between:

C. Suryanarayana, S/o C. Ramulu, age 54 years, Occ. Asst. Divisional Engineer, A.P.S.E.B., Yeddumylaram of Medak District (A.P).

...

Petitioner

AND

The Andhra Pradesh State Electricity Board, represented by its Member Secretary, (Vidyuth Soudha, Khairatabad) Hyderabad and three another.

....Respondents

HON'BLE SRI JUSTICE D.S.R. VARMA

WRIT PETITION NO. 10275 OF 1995

ORAL ORDER :

Heard the learned counsel appearing for the petitioner as well as the learned Standing Counsel appearing for the A.P. Transco.

2. The petitioner seeks a declaration that the action of the respondents in initiating criminal proceedings against him by the Anti-Corruption Bureau in connection with the alleged irregularities relating to manufacture of RCC Poles and Anchor Plates of Wanaparthy Division of the APSEB, as illegal and arbitrary.

3. It appears that there was a departmental enquiry and subsequently the same had been transmitted to Anti Corruption Bureau (for brevity "the ACB". The ACB, after conducting a detailed enquiry, recommended departmental action against the petitioner and consequently, punishment of stoppage of two increments without cumulative effect had been imposed. It is the apprehension of the petitioner that the Criminal proceedings will be initiated against him pursuant to the recommendations of the ACB.

4. In the counter-affidavit, filed by the respondent No.1, at paragraph (6), the averment of the petitioner that the APSE Board accorded sanction in September'94 for prosecuting him by the Anti-corruption Bureau by filing a criminal charge against him in respect of the very same enquiry is denied. It is further stated that the ACB did not recommend for prosecution but only recommended for departmental action against the petitioner and consequently departmental action had been initiated and punishment was also imposed. Therefore, it is stated that there is

no proposal as such, to launch criminal prosecution against the petitioner.

5. In view of the said statement made by the respondent No.1, no further adjudication in this matter is required.

6. Hence, the Writ Petition is dismissed as having become infructuous. However, there shall be no order as to costs.

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D.S.R. VARMA, J

DATE: 22.8.2006
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